

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JEFFREY DESKOVIC,

Plaintiff,

v.

CITY OF PEEKSKILL, PUTNAM COUNTY,  
DAVID LEVINE, THOMAS McINTYRE,  
EUGENE TUMOLO, JOHN AND JANE DOE  
SUPERVISORS, and DANIEL STEPHENS,

Defendants

LINDA McGARR,

Plaintiff,

v.

CITY OF PEEKSKILL, DAVID LEVINE, THOMAS  
McINTYRE, EUGENE TUMOLO, JOHN AND  
JANE DOE SUPERVISORS, and DANIEL  
STEPHENS,

Defendants

CITY OF PEEKSKILL,

Third-Party Plaintiff,

v.

WESPORT INSURANCE CORPORATION,  
UNDERWRITERS AT LLOYD'S, LONDON, CX  
REINSURANCE COMPANY LIMITED, SPHERE  
DRAKE INSURANCE PLC, ILLINOIS UNION  
INSURANCE COMPANY, UNITED NATIONAL  
INSURANCE COMPANY, AMERICAN  
MOTORISTS INSURANCE COMPANY, HARCO  
NATIONAL INSURANCE COMPANY, and  
AMERICAN ZURICH INSURANCE COMPANY

Third-Party Defendants.

Case Nos. 07-CV-8150 (KMK)  
07-CV-9488 (KMK)

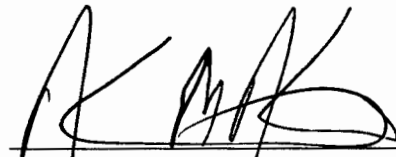
ORDER

KENNETH M. KARAS, District Judge:

For the reasons stated on the record on February 13, 2013, Third-Party Defendants' motions to dismiss and to strike are dismissed as moot. The Clerk of the Court is respectfully directed to terminate these motions, (Dkt. Nos. 449, 456, 462 (07-CV-8150 Dkt.); Dkt. Nos. 246, 255, 264 (07-CV-9488 Dkt.)). The City of Peekskill shall file its second amended complaint by February 27, 2013. Third-Party Defendants shall submit an answer and/or premotion letter by March 27, 2013. The City must submit its response to any premotion letters by April 10, 2013. The next conference is scheduled for April 30, 2013 at 3:00 p.m.

SO ORDERED.

Dated: White Plains, New York  
February 13, 2013

  
KENNETH M. KARAS  
UNITED STATES DISTRICT JUDGE